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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,696	10/29/2003	Denzal Wayne Van Winkle	VARC.17	5273

7590 05/26/2005

Law Office of Tim Cook P.C.
P.O. Box 10107
Liberty, TX 77575

EXAMINER

HOUSE, LETORIA G

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/696,696	Applicant(s) VAN WINKLE, DENZAL WAYNE	
	Examiner Letoria House	Art Unit 3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/09/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/01/2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watts (U.S. 6,367,804) in view of Avakov (U.S. 5,094,340).

Watts discloses a slip body (28); arms (32); a first set of pins attaching the arms to the slip body (42); a plurality of linked segments coupled to the arms (44 & 46); each of the linked segments with an arcuate interior surface (44,46); the arcuate interior surface including a plurality of outwardly extending cones adapted to grip the surface of a tubular (60 & 64). Watts further discloses a slip ram comprising a body having a vertical bore defining a vertical centerline and a horizontal bore extending from the vertical bore (12); a cylinder extending from the horizontal bore (18); a piston within the cylinder (24); a piston rod extending from the piston (26); a slip (28), as described

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above, coupled to the piston rod within the horizontal bore. Note figures 1-3, column 3, lines 3-10, and column 4 lines 6-45.

Although Watts discloses the use of a pin (48) to link the segments (44 & 46), Watts fails to disclose the use of a set of vertical pins linking the segments, or the arcuate interior surface with threads. Avakov teaches the use of two pins to flexibly connect the two segments so that they may articulate (Column 7, lines 21-25), and the use of elongate gripper surfaces with multiple grooves providing multiple gripper ridges running crosswise thereof relative to the tubing axis to provide a better grip on the coiled tubing while providing space for the accommodation of oil, grease, paraffin, and other materials which may be carried on the coiled tubing's outer surface.

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify the slip ram of Watts to include the dual pin configuration as it is common in chain type connectors to use two pins, one at each end, and therefore obvious to modify Watts to include two pins instead of one since the function of the slip will not change regardless of whether one or two pins are used and therefore is considered an obvious choice in design. Also it would have been obvious to one skilled in the art at the time of the invention to modify Watts to include the threaded arcuate interior surface of Avakov in order to provide a better grip on the coiled tubing.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents disclose slip rams and gripping surfaces for use with coiled tubing and are pertinent to the applicant's disclosure: Boquet et al. (U.S.

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6,192,981); Kaiser (U.S. 6,543,546); Avakov (U.S. 5,853,118); Austbo et al. (U.S. 6,892,810); Schaeper et al. (U.S. 4,458,876); Araujo (U.S. 6,857,634).

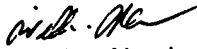
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Latoria House whose telephone number is (571) 272-8118. The examiner can normally be reached on M-F, 7:00 A.M. - 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (571) 272-6999. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Bagnell
Supervisory Patent Examiner
Art Unit 3672

LGH


William Neuder
Primary Examiner